



WESTFIELD-WASHINGTON  
ADVISORY PLAN COMMISSION

April 21, 2014  
1403-PUD-04  
Exhibit 1

**Petition Number:** 1403-PUD-04

**Petitioner:** CarDon Development Company, LLC

**Representative:** Matthew M. Price, Bingham Greenebaum Doll LLP

**Request:** Change in zoning from the Single-Family 2 (SF2) District to the CarDon Senior Living PUD District.

**Current Zoning:** SF2

**Current Land Use:** Agriculture/Vacant

**Approximate Acreage:** 16 acres

**Exhibits:**

1. Staff Report
2. Aerial Location Map
3. Concept Plan
4. CarDon Senior Living PUD Ordinance, Original Version, March 3, 2014
5. CarDon Senior Living PUD Ordinance, Current Version, April 21, 2014
6. Petitioner's Summary of PUD Ordinance Changes, March 31, 2014
7. Public Hearing Comments, March 3, 2014
8. Public Comments Since the Public Hearing, April 2, 2014

**Staff Reviewer:** Andrew P. Murray

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**PETITION HISTORY**

This petition was introduced at the February 10, 2014, City Council meeting. The proposal received a public hearing at the March 3, 2014, Advisory Plan Commission (the "APC") meeting.

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**PROCEDURAL**

- Changes in zoning are required to be considered at a public hearing by the APC. The public hearing for this petition was held on March 3, 2014, at the APC meeting. Notice of the March 3, 2014, public hearing was provided in accordance with the APC Rules of Procedure.
- The Petitioner hosted a neighbor meeting for the proposed PUD Ordinance, as required by WC 16.04.190(E)(2).
- The petition is eligible for a recommendation by the APC at its April 7, 2014 meeting.

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## **PROJECT OVERVIEW**

**Location:** The subject property (the “Property”) is approximately 16 acres in size and is located on the northeast corner of 146<sup>th</sup> Street and Ditch Road (see **Exhibit 2**). The Property is currently zoned SF-2 (Single Family-2) and consists of primarily agricultural uses.

**Project Description:** The Petitioner is requesting a change of zoning to a Planned Unit Development (PUD) District to be known as “CarDon Senior Living”, that would allow for a senior living community defined by the CarDon Senior Living PUD Ordinance (“the PUD Ordinance”) to include skilled nursing care, memory care and assisted and independent living facilities. In addition, limited General Business (GB) District uses are proposed for a portion of the Property immediately adjacent to Ditch Road (Lot 2). The initial phase of construction contemplates a one and two story facility of approximately 117,500 gross square feet (the “Facility”). The Facility would consist of approximately 104 skilled nursing beds and 36 assisted living apartments.

**Default Standards:** The PUD Ordinance defaults to the GB District as the underlying zoning district (“Underlying Zoning District”).

**Permitted Uses:** The proposed PUD Ordinance would permit a senior-living community (including independent living, assisted living, and skilled nursing care) on Lot 1. The proposal also would permit independent living apartments, medical offices, general offices, elder care services, or a financial institution on Lot 2.

**Development Standards:** As proposed, the PUD Ordinance establishes enhanced or alternative development standards from the Underlying Zoning District. Most of the development and architectural standards are summarized below, under “Modifications since the Public Hearing”.

**Thoroughfare Plan:** The Westfield Thoroughfare Plan (the “Thoroughfare Plan”) classifies Ditch Road as a Secondary Arterial and 146<sup>th</sup> Street as a Primary Arterial (collectively, the “Intersection”). The recommended right-of-way width for a Secondary Arterial is 120 feet and 150 feet for a Primary Arterial. Hamilton County is planning an expansion of 146<sup>th</sup> Street to become a limited access thoroughfare from Springmill Road to the county line (the “146<sup>th</sup> Street Project”). As a result of right-of-way acquisition for the 146<sup>th</sup> Street Project, all adjacent right-of-way to the west and south of the Property is under Hamilton County’s jurisdiction, not the City of Westfield. The latest information provided by Hamilton County is that construction of the roundabout proposed for this Intersection will begin this year. As proposed, in accordance with the Concept Plan, the Property includes one access point from 146<sup>th</sup> Street and one access point from Ditch Road. The Petitioner has been in communication with the Hamilton County Highway Department to discuss the limitations, if any, to the proposed access points.



Comprehensive Plan: According to the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”), the Property is within the Suburban Residential land use classification. This land use classification contemplates a variety of housing types to serve different family sizes and life situations. The PUD Ordinance proposes a wide range of living options for senior citizens such as assisted living facilities, independent senior living apartments and skilled nursing care.

The Petitioner proposes to include a light commercial component in the PUD Ordinance. Although light commercial may appear to be more intense than what the Comprehensive Plan contemplates for this area of the community, the Petitioner took into consideration the following since the 2007 adoption of the Comprehensive Plan:

1. The 146<sup>th</sup> Street Project is proposed to become a limited access east/west thoroughfare. As a result, the 146<sup>th</sup> Street Project will have a significant impact on the City of Westfield plans for public infrastructure, public safety infrastructure, park and recreation infrastructure, land use development and economic development.
2. The approval of the Harmony PUD District, which accommodates multi-family and commercial uses to develop at the northwest and southwest corners of the Intersection.

As a result, these considerations may or may not cause the APC and the community to look at this Intersection differently than what the Comprehensive Plan suggests. The APC will have to determine if this proposal is acceptable at this location or not.

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#### **PUBLIC HEARING SUMMARY**

Two representatives from the adjacent Centennial subdivision spoke at the public hearing on March 3, 2014. Concerns were raised regarding the list of permitted uses on Lot 2; buffering against Centennial to the north; and maximum building height on Lot 2. Members of the APC asked for buildings to blend with the residential area by muting exterior colors and not allowing metal roofs. The petitioner has summarized revisions to the PUD Ordinance in **Exhibit 6**.

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#### **MODIFICATIONS SINCE THE PUBLIC HEARING**

Permitted Uses: The PUD Ordinance has been modified to limit the potential uses on Lot 2 to the following: independent living apartments, medical-related offices, general offices, elder care services, or a financial institution. Additional language was added to limit tax exempt uses from locating in the PUD Ordinance.

Building Setbacks for each Lot: The PUD Ordinance was modified to include separate setback standards for each of the two lots, rather than the same setback requirements for each lot. The proposed setbacks for Lot 1 are generally larger than the proposed setbacks for Lot 2.

- For Lot 1, the minimum setback from the east is thirty (30) feet; the minimum setback from 146<sup>th</sup> Street is thirty (30) feet; the minimum setback from the north is sixty (60) feet; and there is not a minimum setback requirement for the internal property line (west property line), as established by the Underlying Zoning District
- For Lot 2, the minimum setback from the Ditch Road is twenty (20) feet; the minimum setback from 146<sup>th</sup> Street is twenty (20) feet; and the remaining setbacks are established by the Underlying Zoning District (sixty (60) feet from the north property line and twenty (20) feet from the east property line).

Building Height Requirements for each Lot: Like the building setback requirements, the PUD Ordinance establishes maximum building heights for each lot. Buildings on Lot 1 cannot exceed two stories; building on Lot 2 cannot exceed three stories.

Parking and Loading Requirements: The revised PUD Ordinance establishes a minimum number of parking spaces for the senior living community on Lot 1 and for independent living apartments on Lot 2. It also reduces the minimum parking stall size from 10'x20' to 9'x18'. The PUD Ordinance also requires loading doors to be located at least 75 feet from the north property line and limits loading activity to occur between 8:00 AM and 6:00 PM.

North Buffer Yard: In working closely with the adjacent neighbors, the standards for the northern buffer yard were modified. The north buffer yard that abuts the Centennial subdivision will include a berm that is twenty-four (24) feet wide and five (5) feet in height; plantings; and either a wood privacy fence on top of the berm that is six (6) feet in height or planting of Viburnums on top of the berm. As reported by neighborhood representatives, the north buffer yard proposal is acceptable to the adjacent neighbors. The PUD Ordinance requires buffer yard treatment along the other three perimeters of the project as well.

Sign Standards: The PUD Ordinance defaults to the City's Sign Standards, and it further restricts the placement and illumination of north-facing wall signs.

Lighting Standards: The PUD Ordinance defaults to the City's Lighting Standards, and it further restricts the maximum height of light poles in parking areas to be no taller than 20 feet, instead of 25 feet as allowed by the City's ordinance.

Building Materials: The building material requirements in the PUD Ordinance have been increased and, as proposed, require at least sixty (60) percent of the front façade and at least fifty (50) percent of all other



facades be finished with a masonry material (brick, limestone, natural stone, or cultured stone). The remainder of the facades may be covered with fiber cement siding. Aluminum siding, vinyl siding, and metal roofs are prohibited.

Character Exhibits: Illustrations that demonstrate the architecture, quality, and appearance of buildings have been added to the PUD Ordinance. Buildings that are constructed on Lot 1 and Lot 2 would be required to be in substantial compliance with the images in the Character Exhibit.

Lot 2 Building Orientation: The PUD Ordinance restricts orienting residential units to the north, but rather requires dwelling units to face east, west, or south.

Ancillary Structures/Equipment Standards: Development standards for dumpsters, mechanical equipment screening, and accessory buildings were added to the PUD Ordinance.

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## **STATUTORY CONSIDERATIONS**

Indiana Code § 36-7-4-603 states that reasonable regard shall be paid to:

1. The Comprehensive Plan
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

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## **STAFF COMMENTS**

1. Staff has concluded that the CarDon Senior Living PUD Ordinance, as proposed, is in good form. If the APC is satisfied with the substantive contents of the proposal and believes that the proposal is acceptable on this Property, then forward a favorable recommendation to the City Council.
2. If any APC member has questions prior to the meeting, then please contact Andrew Murray at (317) 379.9080 or [amurray@westfield.in.gov](mailto:amurray@westfield.in.gov).